

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

JOSHUA WILLIAM JACKSON,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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§ Civil Action No. **3:19-CV-1664-L-BH**
§ Criminal No. 3:16-CR-196-L-1
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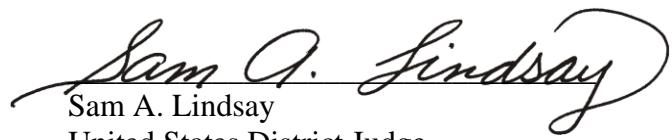
ORDER

Before the court is Petitioner's Motion for Leave to Proceed In Forma Pauperis on Appeal (Doc. 63), which was originally filed with the United States Court of Appeals for the Fifth Circuit and forwarded to this court and docketed on June 16, 2021. On June 18, 2021, the Findings, Conclusions and Recommendation of the United States Magistrate Judge ("Report") (Doc. 64) was entered, recommending that the court deny the motion in light of its prior denial of a certificate of appealability (Doc. 60), and Petitioner's failure to establish that he is financially unable to pay the docket fees or post a bond for them in his appeal. No objections to the Report were received as of the date of this order.

Having considered the motion, file, record in this case, and Report, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. Accordingly, Defendant's Motion for Leave to Proceed In Forma Pauperis on Appeal (Doc. 101) is **denied** for the reasons stated by the magistrate judge. Pursuant to 28 U.S.C. § 1915(a)(3) and Federal Rule of Appellate Procedure 24(a)(3), the court *again certifies*, for the reasons fully explained in the magistrate judge's reports (Docs. 50, 55) and this court's order accepting those reports (Doc. 60), that the appeal is not taken in good faith. Petitioner may

challenge this finding under *Baugh v. Taylor*, 117 F.3d 197 (5th Cir. 1997), by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of the Court, United States Court of Appeals for the Fifth Circuit, within 30 days of this order.

It is so ordered this 7th day of July, 2021.



Sam A. Lindsay
United States District Judge